

Rec'd PCT

17 NOV 2005

#2

**FITZPATRICK, CELLA, HARPER & SCINTO**

1900 K STREET, N.W.  
WASHINGTON, D.C. 20006-1110  
(202) 530-1010

Facsimile:(202) 530-1055

**FACSIMILE COVER SHEET**

**TO:** Donna Green  
U.S. Patent and Trademark Office

**FROM:** Scott D. Malpede

**RE:** U.S. Patent Appln. No. 10/552,590  
Docket No.: 00684.103077A

**FAX NO.:** (703) 308-4785

**DATE:** November 17, 2005

**NO. OF PAGES:** 3  
(including cover page)

**TIME:**

**SENT BY:**

**MESSAGE****RECEIVED**

25 NOV 2005

Legal Staff  
International Division

**IF YOU DO NOT RECEIVE ALL THE PAGES  
PLEASE CALL 212-218-2100 AS SOON AS POSSIBLE.**

**Note:** We are transmitting from a Canon Model FAX-L770  
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date 11, 4, 05  
Mo. Day Yr.  
Atty. Docket 0684.103077A  
Application No. 10352390

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action \_\_\_\_\_
- ☐ Check for \$ \_\_\_\_\_ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☐ Information Disclosure Statement, PTO-1449 and \_\_\_\_\_
- ☐ Claim for priority and certified copies of \_\_\_\_\_ priority applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_

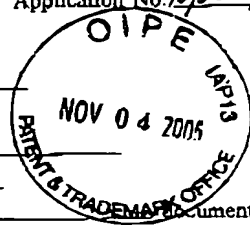
☒ Other (specify) Petition for Express Abandonment to Avoid Publication  
under 37 CFR 1.138(c) (w/ \$100)  
by placing your receiving date stamp hereon and returning to deliverer.

Atty. SPM/lm

Due Date

N, 0, 0  
Mo. Day Yr.

FCH&amp;S-0-03



PTO/SB/24A (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXPRESS ABANDONMENT TO AVOID PUBLICATION UNDER 37 CFR 1.138(c)</b>  Fax the petition directly to the Pre-Grant Publication Division at (703) 305-6568 Or Mail the petition to: Mail Stop Express Abandonment Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450	Application Number	10/552,590
	Filing Date	October 12, 2005
	First Named Inventor	NORIYUKI SHIKINA, ET AL.
	Art Unit	Unassigned
	Examiner Name	Unassigned
	Attorney Docket Number	00684.103077A

**Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

Petition Fee – must be filed with petition to avoid delays in recognizing the petition.

- a. ☐ The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. \_\_\_\_\_ I have enclosed a duplicate copy of this sheet.
- b. ☒ Check in the amount of \$ 130.00 is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

I am the: ☐ applicant.
☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
☒ attorney or agent of record. Registration Number 32,533
  
 \_\_\_\_\_  
 Signature

November 4, 2005  
 Date

SCOTT D. MALPEDE  
 Typed or printed name

(202) 530-1010  
 Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 form is submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO 9199 and select option 2.

**RECEIVED**

25 NOV 2005

(Form #213)  
SDM/vmm

DC\_MAIN 220704v1

Legal Staff  
Innovation